

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**ROBERT MOORE**  
**Plaintiff,**

**v.**

**U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT; U.S. CUSTOMS AND  
BORDER PROTECTION; AND  
U.S. DEPARTMENT OF HEALTH  
AND HUMAN SERVICES,  
Defendants.**

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**EP-19-CV-00279-DCG**

**DEFENDANTS' SEPTEMBER 4, 2020 STATUS REPORT**

Defendants, United States Immigration and Customs Enforcement (ICE), United States Customs and Border Protection (CBP), and United States Department of Health and Human Services (HHS) (collectively referred hereinafter as “Defendants”) submit the following report on the status of Defendants’ search for records responsive to Plaintiff’s Freedom of Information Act (FOIA) requests.

**A. ICE**

1. ICE previously reported that it had completed its search for Plaintiff’s request numbers 2019-ICFO-49560 and 2019-ICFO-33608. ICE identified a total of 1007 potentially responsive documents for Plaintiff’s requests. ICE provided a total of 741 responsive documents.

2. On September 4, 2020, ICE provided Plaintiff with its Vaugh Index relating to all withheld records.

**B. CBP**

3. Pursuant to the Court’s August 10, 2020 Memorandum Order (ECF No. 51), Defendant CBP filed its August 14, 2020 Status Report. *See* ECF No. 52. Therein, CBP informed

the Court as the number of all potentially responsive pages of records pertaining to Plaintiff's FOIA requests.

**C. HHS**

4. Defendant HHS previously reported it had identified a total of 4,837 pages of potentially responsive records to Plaintiff's FOIA request 18-F-0410. ECF No. 50, pp. 2-3. Pursuant to the Court's August 10, 2020 Memorandum Order, the Administration for Children and Families (ACF), an agency within HHS, completed its review of all potentially responsive documents by August 21, 2020. *See* ECF No. 51, pp. 9-10. In further compliance with the Court's Memorandum Order, as of September 4, 2020, all documents requiring consultation have been forwarded to the appropriate component or agency for review. ACF has requested all consultation responses be provided by September 25, 2020. *See id.*

Respectfully submitted,

**JOHN F. BASH**  
UNITED STATES ATTORNEY

/s/ Manuel Romero

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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4th day of September, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following CM/ECF participants: Lynn Coyle and Christopher Benoit, *Attorneys for Plaintiff*.

/s/ Manuel Romero

**MANUEL ROMERO**

Assistant United States Attorney